



TOWN OF PALM BEACH

Town Manager's Office

TENTATIVE -
SUBJECT TO
REVISION

TOWN COUNCIL MEETING

TOWN HALL
COUNCIL CHAMBERS-SECOND FLOOR
360 SOUTH COUNTY ROAD

AGENDA

TUESDAY, FEBRUARY 12, 2013

9:30 AM

For information regarding procedures for monitoring or participating in Town Council Meetings, please refer to the end of this agenda.

- I. CALL TO ORDER AND ROLL CALL
Mayor Gail L. Coniglio
David A. Rosow, President
Robert N. Wildrick, President Pro Tem
William J. Diamond
Richard M. Kleid
Michael J. Pucillo
- II. INVOCATION AND PLEDGE OF ALLEGIANCE
- III. SWEARING IN OF ELECTED OFFICIALS
The Honorable Judge Peter D. Blanc
 - A. Mayor Gail L. Coniglio
 - B. Town Council Member William J. Diamond
 - C. Town Council Member Michael J. Pucillo

(Mayor Becomes the Presiding Officer)

IV. ORGANIZATIONAL ITEMS

- A. Election of the Town Council President
Pursuant to Section 3.01 of the Town Charter

(Town Council President Becomes the Presiding Officer)

- B. Election of the Town Council President Pro Tem
Pursuant to Section 3.01 of the Town Charter

V. PRESENTATIONS

- A. Recognition of Dr. Martin Phillips, Architectural Commission, From
November 2011 Through November 2012.
- B. Regional Medical Care Guide Update. [Dr. Michael Dennis]

VI. COMMENTS OF MAYOR GAIL L. CONIGLIO

VII. COMMENTS OF TOWN COUNCIL MEMBERS AND TOWN MANAGER

VIII. COMMUNICATIONS FROM CITIZENS – 3 MINUTE LIMIT PLEASE
**(Another opportunity for communications from citizens will be offered
immediately after the lunch break.)**

IX. APPROVAL OF AGENDA

X. CONSENT AGENDA

A. MINUTES

1. MINUTES: JANUARY 8, 2013
Approval of the Minutes of the Town Council Meeting.
2. MINUTES: JANUARY 8, 2013
Approval of the Minutes of the Special Town Council Meeting –
Closed Door Session – Town of Palm Beach vs. United States of
America.
3. MINUTES: JANUARY 8, 2013
Approval of the Minutes of the Special Town Council Meeting –
Closed Door Session - 160 Royal Palm, LLC vs. Town of Palm
Beach.
4. MINUTES: JANUARY 9, 2013
Approval of the Minutes of the Town Council Meeting.

5. MINUTES: JANUARY 11, 2013
Approval of the Minutes of the Special Town Council Meeting.
6. MINUTES: JANUARY 23, 2013
Approval of the Minutes of the Special Town Council Meeting.
7. Approval of Major Matters Considered by the Architectural Commission at its Meeting on January 23, 2013.

B. RESOLUTIONS

1. RESOLUTION NO. 8-2013 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving the Palm Beach County Law Enforcement Agencies Combined Operational Assistance and Voluntary Cooperation Mutual Aid Agreement and Authorizing the Mayor, Town Council President, Town Manager, and Director of Public Safety to Execute the Same on Behalf of the Town. [Kirk W. Blouin, Director of Public Safety]
2. RESOLUTION NO. 10-2013 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Awarding RFP No. 2013-03 to Public Financial Management, Inc. for Financial Advisory Services, and Authorizing the Town Manager to Execute an Agreement on Behalf of the Town. [Jane Struder, Director of Finance]
3. RESOLUTION NO. 12-2013 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Awarding a Contract to Kimley-Horn and Associates, Inc. in the Amount of \$24,200, and Establishing an Alternative Engineering Study and Design Phase Budget for the E-6 Force Main of \$26,650. [H. Paul Brazil, Director of Public Works]
4. RESOLUTION NO. 13-2013 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Authorizing a One Year Extension, with No Changes to Terms, to Hy-Byrd Incorporated for Plan Review and Inspections Services, Including Funding in an Amount Not to Exceed \$250,000. [John Page, Director of Planning, Zoning, and Building]

5. RESOLUTION NO. 14-2013 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Authorizing a One Year Extension, with No Changes to Terms, to M. T. Causley, Inc. for Plan Review and Inspections Services, Including Funding in an Amount Not to Exceed \$50,000.
[John Page, Director of Planning, Zoning, and Building]
6. RESOLUTION NO. 15-2013 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Awarding a Contract to Mock, Roos & Associates, Inc., in the Amount of \$21,418 for E-3 (Garden Road to Cherry Lane) Force Main Replacement, Establishing a Design and Bid Phase Budget of \$23,600. [H. Paul Brazil, Director of Public Works]
7. RESOLUTION NO. 16-2013 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Contract Extension to D. B. Ecological Services, Inc. for Permit Required Sea Turtle Nesting Monitoring, in the Amount of \$126,280 and Establishing a Project Budget of \$130,000.
[H. Paul Brazil, Director of Public Works]
8. RESOLUTION NO. 17-2013 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Awarding a Purchase Order to Duval Ford, for the Purchase of One Ford F 150 Truck, on FSA Contract No. 12-20-0905 in the Amount of \$16,513 and Establishing an Overall Budget of \$17,213. [H. Paul Brazil, Director of Public Works]
9. RESOLUTION NO. 18-2013 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Awarding a Purchase Order to Alan Jay Ford, for the Purchase of One Ford F-350 Utility Body Truck, on FSA Contract No. 12-20-0905 in the Amount of \$32,894 and Establishing an Overall Budget of \$33,894.
[H. Paul Brazil, Director of Public Works]
10. RESOLUTION NO. 19-2013 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Authorizing the Purchase of Two (2) Boat Engines in the Amount of \$26,066.00 from Fastboats Marine Group as Previously Considered and Approved by the Town Council During the FY2013 Budget Process and Included in the Town's Equipment Replacement Program; Providing an Effective Date.
[Kirk W. Blouin, Director of Public Safety]

11. RESOLUTION NO. 20-2013 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Awarding a Contract to R.C. Systems, Inc. in the Amount of \$32,900, and Establishing a Budget of \$35,000 for the Provision of Recreation Software Modules, Training, Maintenance, Web Hosting, and Support for the Recreation Center, Tennis Centers, and Marina; and Authorizing the Town Manager to Enter into an Agreement for Said Purchase.
[Jay Boodheshwar, Director of Recreation and Special Projects]
12. RESOLUTION NO. 29 -2013 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Granting a Non-Exclusive Utility Easement on Town Property to Florida Power & Light Company for Transformers, Conduit and Wires to Provide Service to the D-6 and D-7 Storm Water Pump Stations. [H. Paul Brazil, Director of Public Works]
13. RESOLUTION NO. 30 -2013 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Increasing Existing \$50,000 Design and Bid Phase Budget in the Amount of \$10,000 for the Police Department HVAC Project, Establishing a New Design and Bid Phase Budget of \$60,000.
[H. Paul Brazil, Director of Public Works]

C. OTHER

1. Ratification of Town Manager's Approval of Barton Avenue Emergency Repairs. [H. Paul Brazil, Director of Public Works]
2. Authorization of Funding for Landscape Improvements at the Okeechobee Boulevard Yard Trash Disposal Site. [H. Paul Brazil, Director of Public Works]
3. Rejection of All Bids for Construction of Sanitary Sewer Pump Stations Project. [H. Paul Brazil, Director of Public Works]
4. Rejection of All Bids for Construction of Force Main Project.
[H. Paul Brazil, Director of Public Works]

XI. BOARD/COMMISSION ANNUAL REPORT

- A. Investment Advisory Committee.
[Michael F. Andrews, Chair and Jane Struder, Director of Finance]

XII. COMMITTEE REPORTS

- A. Administrative and Personnel Committee Meeting of January 9, 2013, re: Vega. [Richard M. Kleid, Chair]
- B. Administrative and Personnel Committee Meeting of January 28, 2013, re: Vega. [Richard M. Kleid, Chair]
- C. Administrative and Personnel Committee Meeting of January 28-29, 2013, re: Duquette.
 - 1. Committee Report. [Richard M. Kleid, Chair]
 - 2. Comments of the Town Manager. [Peter B. Elwell, Town Manager]
 - 3. Comments on Behalf of Scott Duquette. [Stuart N. Kaplan, Esq.]

XIII. REGULAR AGENDA

- A. Old Business
 - None
- B. New Business
 - 1. Par 3 Clubhouse Project.
 - a. Status Report.
[Jay Boodheshwar, Director of Recreation and Special Projects]
 - b. RESOLUTION NO. 21-2013 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County Florida, Declaring the Town's Official Intent for the Town to Initially Fund the Par 3 Clubhouse Project by Borrowing from the Town's Reserves and Waiving the Reserve Policies and to Reimburse the Town's Reserves Either Through Repayment over a Term of Not to Exceed Thirty (30) Years from the Town's Dock Replacement Reserve and the Recreation Enterprise Fund Reserve or Through Repayment from a Bank Note or Other Mechanism; Providing an Effective Date.
[Jane Struder, Director of Finance]

- c. RESOLUTION NO. 22-2013 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County Florida, Declaring the Town's Official Intent to Seek Reimbursement for Certain Capital Expenditures Made or to Be Made with Respect to the Construction of a New Clubhouse at the Palm Beach Par 3 Golf Course from the Proceeds of its Not to Exceed \$1,250,000 Principal Amount of Revenue Notes and Providing for an Effective Date. [Jane Struder, Director of Finance]
 - d. RESOLUTION NO. 23-2013 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Accepting Donations from the Par 3 Foundation, in the Amount of \$2,175,000 in Support of the Par 3 Clubhouse Project. [H. Paul Brazil, Director of Public Works]
 - e. RESOLUTION NO. 24-2013 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Awarding a Construction Manager at Risk Contract with Hedrick Brothers Construction for the Construction of the Par 3 Clubhouse for an Amount of \$2,630,000. [H. Paul Brazil, Director of Public Works]
 - f. RESOLUTION NO. 11-2013 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving the Proposed Builders Risk and Flood Insurance Coverage for the Construction of the Par 3 Clubhouse, in an Amount Not-to-Exceed \$28,000 to Employers Mutual Inc. [H. Paul Brazil, Director of Public Works]
- 2. RESOLUTION NO. 28-2013 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Authorizing the Execution of a Maintenance Agreement Between the Florida Department of Transportation and the Town of Palm Beach for Construction and Planting of Landscape Improvements in the Right-of-Way at 1300 South Ocean Boulevard. [H. Paul Brazil, Director of Public Works]
 - 3. FY14 Budget Matters. [Peter B. Elwell, Town Manager]
 - a. Budget Calendar.
 - b. Process for Establishing Townwide Budget Priorities.

4. Discussion of Three-Minute Rule for Communications from Citizens. [William J. Diamond, Town Council Member]

XIV. ORDINANCES

A. Second Reading

1. ORDINANCE NO. 19-2012 An Ordinance of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Providing for an Amendment to the Town's Budgets Adopted for the Fiscal Year Commencing October 1, 2012; Providing an Effective Date. [Jane Struder, Director of Finance]
Deferred from the January 8, 2013, Town Council Meeting.

B. First Reading

None

XV. ANY OTHER MATTERS

XVI. ADJOURNMENT

PLEASE TAKE NOTE:

- No written materials received after 5:00 p.m. on the Thursday immediately prior to a monthly Town Council meeting will be included in the back-up binders distributed to the Mayor and Town Council in preparation for that meeting. Written materials received after 5:00 p.m. on Thursday will be separately distributed to the Mayor and Town Council; however, depending upon the length of the materials, the time of submittal, and other circumstances, the Mayor and Town Council may not be able to read and consider such late submittals prior to acting upon the policy matter(s) which they address.
- The progress of this meeting may be monitored by visiting the Town's website (www.townofpalmbeach.com) and selecting "Your Government" and then selecting "Audio (Live and Archived)." If you have questions regarding that feature, please contact the Office of Information Systems (561) 227-6315. The audio recording of the meeting will appear within 24 hours after the conclusion of the meeting.
- If a person decides to appeal any decision made by this Council with respect to any matter considered at this meeting or hearing, he/she will need a record of the proceedings. For such purpose, he/she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.
- Disabled persons who need an accommodation in order to participate in the Town Council Meeting are requested to contact the Town Manager's Office at 838-5410 or through the Florida Relay Service by dialing 1-800-955-8770 for voice callers or 1-800-955-8771 for TDD callers, at least two (2) working days before this meeting.
- Items listed on the Consent Agenda will be approved by one motion of the Town Council, unless the Mayor or an individual Council Member requests that any item(s) be moved to the Regular Agenda and individually considered.
- A summary of the actions taken at Town Council meetings can be viewed on the Town's website after 5 p.m. on the Friday following the Town Council meeting.

PROCEDURES FOR PUBLIC PARTICIPATION

Citizens desiring to address the Town Council should proceed toward the public microphones when the applicable agenda item is being considered to enable the Town Council President to acknowledge you.

PUBLIC HEARINGS: Any citizen is entitled to be heard on an official agenda item under the section entitled "Public Hearings," subject to the three minute limitation.

COMMUNICATIONS FROM CITIZENS: Any citizen is entitled to be heard concerning any matter under the section entitled "Communications from Citizens," subject to the three minute limitation.

OTHER AGENDA ITEMS: Any citizen is entitled to be heard on any official agenda item when the Town Council calls for public comments, subject to the three minute limitation.

Town Council Meetings are public business meetings and, as such, the Town Council retains the right to limit discussion on any issue.

Town of Palm Beach
Meeting Schedule

2/6/13

Tue 02/12/2013 09:30 AM	Town Council Meeting	Council Chambers
Wed 02/13/2013 09:30 AM	Town Council Meeting-Development Review Matters	Council Chambers
Fri 02/15/2013 09:00 AM	Retirement Board Meeting	Council Chambers
Fri 02/15/2013 09:30 AM	Royal Poinciana Way Committee	EOC
Mon 02/18/2013 04:00 AM	PRESIDENTS' DAY	TOWN HALL CLOSED
Tue 02/19/2013 09:30 AM	Planning and Zoning Commission Meeting	Council Chambers
Wed 02/20/2013 09:30 AM	Landmarks Preservation Commission	Council Chambers
Thu 02/21/2013 02:00 PM	Code Enforcement Board Meeting	Council Chambers
Fri 02/22/2013 02:00 PM	Investment Advisory Committee Meeting	Council Chambers
Mon 02/25/2013 01:00 PM	Administrative and Personnel Committee Meeting Re: Eaton	Council Chambers
Wed 02/27/2013 09:00 AM	Architectural Commission Meeting	Council Chambers
Thu 02/28/2013 09:00 AM	Shore Protection Board Meeting	Council Chambers
Wed 03/06/2013 09:00 AM	Grievance Resolution Board re: Federlein	EOC

Wed 03/06/2013 09:00 AM	Recreation Advisory Commission Meeting	Council Chambers
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Fri 03/08/2013 09:00 AM	Retirement Board Meeting	Council Chambers
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Wed 03/13/2013 09:30 AM	Town Council Meeting-Development Review Matters	Council Chambers
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Thu 03/14/2013 10:00 AM	Town Council Meeting	Council Chambers
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Tue 03/19/2013 09:30 AM	Planning and Zoning Commission Meeting	Council Chambers
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Wed 03/20/2013 09:30 AM	Landmarks Preservation Commission	Council Chambers
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Thu 03/21/2013 02:00 PM	Code Enforcement Board Meeting	Council Chambers
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Wed 03/27/2013 09:00 AM	Architectural Commission Meeting	Council Chambers
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Thu 03/28/2013 09:00 AM	Shore Protection Board Meeting	Council Chambers
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Tue 04/09/2013 09:30 AM	Town Council Meeting	Council Chambers
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Wed 04/10/2013 09:30 AM	Town Council Meeting-Development Review Matters	Council Chambers
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